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UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

TETRIS HOLDING, LLC and

THE TETRIS COMPANY, LLC,

     Plaintiffs,

  vs.   C.A. NO. 09-6115 (FLW)(DEA)

XIO INTERACTIVE, INC.,

     Defendant.

VIDEOTAPED DEPOSITION OF

JACOB RUS, VOLUME II

February 11, 2011

1:17 p.m.

Ropes & Gray, LLP

800 Boylston Street

Boston, Massachusetts

Laurie J. Driggers, CCR, RPR, CRR, CLR

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1   BY MR. KEHOE:

2   Q. Okay. The file pictured here in Mino Image

3 Assets called tetra-picker.psd, is that the file that

4 you just testified that you used to select the

5 different colors?

6   A. (Deponent viewing exhibit). I believe so,

7 yes.

8   Q. And what -- what informed your creative

9 choices with regard to picking the colors for the

10 blocks in Mino?

11   MS. MAITRA: Objection; vague and lacks

12 foundation.

13   A. So -- so what I -- what I did was I created

14 this file tetra-picker.psd, and it has a

15 representation of the -- of the CIELAB color space.

16 That's C-I-E-L-A-B. And that's a color space that

17 somewhat -- is somewhat representative of the geometry

18 of how humans see color. And then I -- and so then I

19 picked in that color space, hues that were evenly

20 spaced around -- around a hue circle so that they

21 would be as distinguishable as possible.

22   And then I picked lightnesses -- that's the --

23 the L-dimension in that LAB -- that were spaced

24 separately so that a viewer -- you know, players with